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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,551	12/08/2003	Todd K. Whitehurst	AB-308U	4571

23845 7590 09/18/2006

ADVANCED BIONICS CORPORATION
25129 RYE CANYON ROAD
VALENCIA, CA 91355

EXAMINER

EVANISKO, GEORGE ROBERT

ART UNIT	PAPER NUMBER
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3762

DATE MAILED: 09/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO. ^e
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EXAMINER

ART UNIT	PAPER
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20060909

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See the attached request for information under 1.105. This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of TWO months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

George R Evanisko
George R Evanisko
Primary Examiner
Art Unit: 3762

9/9/06

REQUEST FOR INFORMATION

Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

The examiner is requiring the Applicant to state on the record what nerves the applicant considers the intercostal nerve branches to consist of. Specifically, the names of the nerves (such as the lateral cutaneous branch, anterior cutaneous branch, etc), whether these branches are directly connected to the intercostal nerves, and whether they are connected toward or away from the spine. This information is required to extend the domain of search for prior art.

The information is required to extend the domain of search for prior art. Limited amounts of art related to the claimed subject matter are available within the Office, and are generally found in class 607 and subclasses 1, 2, 45, and 46, which describe stimulation for pain and mental disorders. A broader range of art to search is necessary to establish the level of knowledge of those of ordinary skill in the claimed subject matter art of applying stimulation to the intercostal nerve branches and intercostal nerves.

The information is required to document the level of skill and knowledge in the art of intercostal nerve branch stimulation.

The information is required to complete the background description in the disclosure by documenting the nerves which applicants consider to be the intercostal nerve branches.

Art Unit: 3762

The information is required to identify products and services embodying the disclosed subject matter of intercostal nerve branches and identify the properties of similar products and services found in the prior art.

In response to this requirement, please provide a list of keywords that are particularly helpful in locating publications related to the disclosed art of stimulating intercostal nerves and intercostal nerve branches.

In response to this requirement, please provide copies of each publication which any of the applicants authored or co-authored and which describe the disclosed subject matter of stimulating intercostal nerves or intercostal nerve branches.

The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to the requirement for that item.


This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of TWO months. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Evanisko whose telephone number is 571 272 4945. The examiner can normally be reached on M-F 6:30-5:00.

Art Unit: 3762

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela Sykes can be reached on 571 272 4955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


George R Evanisko
Primary Examiner
Art Unit 3762

9/9/06

GRE

September 9, 2006


FREDERICK R. SCHMIDT
DIRECTOR
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